

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Dudley et al. Examiner : JEAN-LOUIS, SAMIRA JM
Serial No. : 10/829,618 Confirmation No. : 7286
Filed : April 20, 2004 Group Art Unit : 1627
For : ANDROGEN PHARMACEUTICAL COMPOSITION AND METHOD
FOR TREATING DEPRESSION

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-identified application. In compliance with 37 C.F.R. §1.56, such documents are listed on the enclosed Form PTO-1449.

As required by MPEP 609(b)(3) and 609.04(a), for each of the following documents listed on the enclosed Form PTO-1449 that is not in the English language, an English abstract or English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed.

This Information Disclosure Statement is submitted according to the following selected paragraph(s):

- ☒ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b) (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c) prior to either a final action or a notice of allowance. Payment for the fee required by 37 C.F.R. §1.17(p) is hereby authorized to be charged to Deposit Account No. 02-4377.

☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c), with a statement under, 37 C.F.R. §1.97(c) prior to either a final action or a notice of allowance. The undersigned hereby states that (check one):

- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(d), with a statement under 37 C.F.R. §1.97(e), after a final action or a notice of allowance but prior to payment of the issue fee. Payment for the fee required by 37 C.F.R. §1.17(p) is hereby authorized to be charged to Deposit Account No. 02-4377. The undersigned hereby petitions that this Information Disclosure Statement be considered prior to issuance of the patent. The undersigned hereby states that (check one):

- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement

was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ The references listed on the accompanying PTO-1449 were either cited by the Examiner or previously submitted in co-pending application U.S. Serial No. _____, filed _____. Pursuant to 37 C.F.R. § 1.98(d), the references are not required if the earlier application is identified and relied upon for an effective filing date under 35 U.S.C. § 120 and therefore are not enclosed herewith.

Related Application Disclosure

- ☒ Applicants would like to bring to the attention of the Examiner the following related patent applications, which are also listed on the accompanying PTO-1449:

Application Serial No.	Filing Date
13/071,264	March 24, 2011
13/071,276	March 24, 2011
13/165,545	June 21, 2011

Disclosure of Office Actions and Responses in Related Applications

- ☒ Applicants would like to bring to the attention of the Examiner the following Office Actions issued in related patent applications and Responses to Office Actions filed in such applications, which are also listed on the accompanying PTO-1449:

Application Serial No.	Date of Office Action or Response
12/609,473	12-7-2010 Non-Final Rejection
12/609,473	4-29-2011 Response after Non-Final Action

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States

law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Applicants believe no additional fee is due in connection with this submission. However, if any additional fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment to our Deposit Account No. 02-4377.

Respectfully submitted,

Respectfully submitted,



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June 21, 2011

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